



## QUESTIONS AND ANSWERS FOR APPROVED SECURITY PRINTERS

**Q** What is an *approved* “security printer”?

**A** A *security printer* is a printing company that has applied to and been *approved* by the Board of Pharmacy and the Department of Justice to produce the new tamper-resistant security prescription forms for use by authorized prescribers. If a security printer is not listed on the Board of Pharmacy website at [http://www.pharmacy.ca.gov/app\\_sec\\_printers.htm](http://www.pharmacy.ca.gov/app_sec_printers.htm), it is **not** approved, and cannot legally print the new security prescription forms.

**Q** What do I need to qualify to become an approved security printer?

**A** The security printer must have a secure facility, adequate staffing, and policies and procedures that meet or exceed requirements of Health and Safety Code section 11161.5 as well as the security printing knowledge and the equipment necessary to produce tamper-resistant security prescription forms including all of the security features required in section 11162.1. The board would prefer that all approved security printers have the capability of applying all of the security features; however, the board is allowing approved printers to purchase a base stock paper that includes at a maximum, the chemical void protection and/or latent repetitive void protection only.

**Q** How does a print company apply for approval to produce tamper-resistant security prescription forms for use by authorized prescribers?

**A** Visit the Board of Pharmacy website at [http://www.pharmacy.ca.gov/security\\_printer.htm](http://www.pharmacy.ca.gov/security_printer.htm) to download an application along with instructions. The law pertaining to the approval process and security prescription form requirements can be found under the link [SB 151](#) on pages 6 through 10. Submit your application, required fingerprints, and policies and procedures to the Board of Pharmacy 400 R Street, Suite 4070, Sacramento, CA 95814. If you have any questions, please email [security\\_printer@dca.ca.gov](mailto:security_printer@dca.ca.gov). The process can take 45 days or more.

**Q** My security printing business is located out-of-state or out-of-the country; can I apply to become an approved security printer?

**A** Yes. The board encourages any printer that meets or exceeds the requirements outlined in Health and Safety Code section 11161.5 & 11162.1 et seq., to submit their application to the board for review. If the business is a corporation, the business must register with the California Secretary of State’s office in order to do business with California prescribers. Please visit the Secretary of State’s website at <http://www.ss.ca.gov/business/business.htm> for more information and forms necessary for registration. You may submit both your application to the Board of Pharmacy and registration to the Secretary of State simultaneously; simply note that you are in the process of registering with the Secretary of State in your cover letter to the board.

**Q** What is an “agent for service of process” required to be included on the *Security Printer Application for Approval to Produce Controlled Substance Prescription Forms*?

**A** Domestic (California) and foreign (out-of-state or out-of-country) owned corporations are required to register with the Secretary of State to do business with California residents and businesses. As part of that process, the corporation must designate an agent for service of process. An agent for service of process, as defined by the California Secretary of State, is an individual (or another corporation) designated by a corporation to accept service of process if the corporation is sued. California residency is the only requirement for an individual to be named as an agent for service of process. A corporation named as an agent for service of process must have on file with the California Secretary of State a certificate pursuant to Section 1505 of the California Corporations Code. NOTE: A corporation cannot act as its own agent. Approval from a proposed agent should be obtained prior to designation.

**Q** My corporation is large, how many principle corporate officers are required to submit fingerprints and complete the ownership page of the security printer application?

**A** Generally, the top five corporate officers.

**Q** As an approved security printer, can I sell tamper-resistant security prescription blanks for laser printers as long as the prescriber information is preprinted and the blanks contain all of the security features required pursuant to Health and Safety Code section 11162.5 et seq?

**A** Yes, as long as the forms contain all of the security features including preprinted prescriber name, DEA number, state license number, and category of licensure prior to shipping to the prescriber. Not all approved security printers sell this custom security prescription forms.

**Q** Can a prescriber purchase stock prescription blanks for a laser printer or pen-fed for dot matrix printer that comes with all of the security features except for the preprinted prescriber name, category of licensure, DEA number, and state license number?

**A** No, the preprinted prescriber information is one of the security features and therefore, must be preprinted by the approved security printer. However, an approved security printer could offer for sale tamper-resistant security prescription blanks designed for laser and dot matrix printers as long as the forms are preprinted with the prescriber information. The prescriber could then send the patient and prescription information electronically to print on the laser or dot matrix printer prescription blank. The prescriber must sign and date the prescription in ink. Note: Not all approved security printers offer this type of form.

**Q** Where do I verify a prescriber’s state license number?

**A** One way is website verification. Go to [http://www2.dca.ca.gov/pls/wllpub/wllquery\\$.startup](http://www2.dca.ca.gov/pls/wllpub/wllquery$.startup). This will take you to a menu of license types. Choose the license type of the prescriber placing the order (for example; for a physician go to the Medical Board of California and choose physician or for a dentist go to the Dental Board of California and choose dentist, etc). Enter the state license number. Look to make sure

the license says clear, renewed or active. Then check to see if there is anything listed under public disclosure, for example, “probation.” Scroll down to read a description of the conditions of probation. If there are any limitations on prescribing, dispensing, or administering controlled substances, it will describe the restriction. Read the limitation carefully as the restriction may be only for Schedule II drugs or for a specific drug. In that case, the prescriber can still order the tamper-resistant security prescription forms for other controlled substance prescriptions.

**Q** How do I verify that the prescriber has the authority to write a controlled substance prescription?

**A** The board recommends that you ask for a copy of the prescriber’s DEA registration with each order, even repeat business. The DEA registration lists the schedules of controlled substances the prescriber is authorized to write prescriptions for and the date his or her authority expires. Security printers may choose to purchase a monthly data file listing of the DEA registration database. There is a fee for this service. Visit the DEA website at <http://www.ntis.gov/products/types/dea/index.asp?loc=4-4-1> to order the data file.

**Q** Is there a specific size or color requirement for the new tamper-resistant security prescription forms?

**A** No. Form design and color is the approved security printer’s choice as long as all of the security features and preprinted prescriber requirements, pursuant to Health and Safety Code section 11162.1 et seq., are met or exceeded. Many printers have developed several different versions of the new tamper-resistant security prescription forms. For example; an institution form, duplicate/multiple copy forms, all-in-one hospital release forms that incorporate a security prescription form, medical group forms listing all prescribers in a group, etc.

**Q** Is there more than one style of prescription form that an approved security printer is required to provide?

**A** Yes, section 11162.1 of the Health and Safety Code describes essentially three versions of the new tamper-resistant prescription form. Under subdivision (a), paragraph (8), prescriptions must include a statement that says, “Prescription is void if more than one controlled substance prescription is written per blank” **OR** a statement that says, “Void if the number of drugs prescribed is not noted” and a space provided for the prescriber to specify the number of drugs prescribed. In essence what this means is a form to write one controlled substance prescription per blank or a form that allows multiple prescriptions per blank. When designing the form for multiple drug prescriptions, the board recommends sectioning the form for each drug and including quantity check off boxes, refill, and order not to substitute choices for each drug section; however, this is not required by law. The third version of the form is an “institution” style form as described under subsection (c). See the next question and answer for more information and the requirements associated with this style of form.

**Q** As an approved security printer, can I offer an institution style form for "licensed health care facilities?"

**A** Yes, as long as the "licensed health care facility" qualifies under Article 1 (commencing with Section 1250) of Chapter 2 of Division 2 of the Health and Safety Code and is licensed by the Department of Health Services (DHS). In addition, the health care facility must designate a single prescriber that will order the prescription forms for authorized prescribers within the facility, distribute prescription forms to those prescribers, keep a record of the forms distributed, and maintain the records for 3 years. The "designated prescriber" can delegate these tasks to staff; however, the designated prescriber will be held accountable for compliance with these requirements. The institution style forms must be printed with the designated prescriber's name, state license number, category of licensure, DEA number, and the name of the licensed health care facility, DHS license number, and address. The form will also contain a blank space for the actual prescriber to hand write, type or stamp his or her name, DEA and state license number at the time the prescription is written.

**Q** As an approved security printer, can I offer an institution form for licensed health care facilities that comes in pen-fed rolls for dot matrix printers or a laser printer form?

**A** Yes, as long as the forms are preprinted with the *designated prescriber's* name, category of licensure, state license number, and DEA number, and the licensed health care facility's name, DHS license number, and address as indicated above and the only information that will be printed using the dot matrix or laser printer is the actual prescribers name, DEA number, and state license number along with the patient and prescription information. The actual prescriber must also sign and date the prescription.

**Q** Is the board limiting approval of security printers to California businesses only?

**A** No. The board encourages any printer that meets or exceeds the requirements outlined in Health and Safety Code section 11161.5 & 11162.1 et seq., to submit their application to the board for review.

**Q** Can the new tamper-resistant security prescription forms be preprinted with more than one prescriber in a group practice setting?

**A** Yes, the forms may include a check box next to each prescriber's name, state license number, category of licensure, and DEA number for the actual prescriber to mark when writing the prescription.

**Q** If a prescriber has several offices, can he or she order the new tamper-resistant security prescription forms preprinted with all of the addresses listed?

**A** Yes, multiple addresses for one prescriber may be listed on the form and may include check off boxes next to the various addresses so that the prescriber can identify the location where the patient was seen.

**Q** Is a federal controlled substance registration number the same thing as a DEA Registration number?

**A** Yes

**Q** What does “an area of opaque writing so that the writing disappears if the prescription is lightened” mean pursuant to Health and Safety Code section 11162.1, subdivision (a)(5)?

**A** This requirement can be fulfilled in one of two ways. Microprinting, which is very small text that appears to be a line but can be seen when magnified. The microprinted text becomes a solid line if the prescription is copied. Another way is reverse printing, which is a color background with an opaque symbol (usually an Rx symbol) that disappears if the prescription is lightened on a copier.

**Q** What does “a feature printed in thermochromic ink” mean as identified in Health and Safety Code section 11162.1, subdivision (a)(4)?

**A** Thermochromic ink is a special ink that changes color temporarily when exposed to heat. The ink will temporarily change color or disappear when rubbed briskly or by blowing hot breath over the feature. The ink will slowly return to its original color as the feature cools. The feature can be of any design of the approved security printer’s choice. Examples include, but are not limited to: the Rx symbol or similar logo, the text itself that describes the feature, a thumbprint that disappears to reveal “valid” underneath, etc.

**Q** Can I offer duplicate or triplicate tamper-resistant security prescription forms if my customers ask for it?

**A** Yes, as long as the actual prescription (top copy) includes all of the security features detailed in Health and Safety Code section 11162.1. The board recommends that the copies indicate “not a valid prescription,” or “nonnegotiable,” or something similar to ensure that the copy cannot be confused as the original.

**Q** Can a pharmaceutical manufacturer or other entity place an order for prescription pads on behalf of a prescriber and pay for it?

**A** Policy for payment of the new tamper-resistant prescription forms is up to the approved security printer. The forms cannot be shipped to the 3rd party that is paying for the order. The prescription forms must be delivered to the prescriber’s address and a signature upon delivery is required.